

STATE ELECTION NOVEMBER 4, 2008

Pursuant to the Selectmen's warrant of October 14, 2008, the State Election was held in Hale Middle School Gymnasium/Auditorium and was called to order at 7:00 a.m.

After examining the ballot box and finding it empty and in good order, the counter was set to zero. The ballot box was then locked and the keys delivered to the Warden, who declared the polls open.

During polling hours three hundred fifty-nine absentee ballots were delivered to the polls, opened, recorded and cast into the ballot box. There were thirty-one spoiled ballots. There were three provisional ballots. The polls were declared closed at 8:00 p.m., with 4,021 ballots cast on November 4th.

Three overseas ballots were received between November 5-14th. The Board of Registrars held a duly posted meeting on November 14th and cast three ballots. The election night totals were adjusted accordingly.

Total ballots cast for the November 4, 2008 election was 4,024. There were 4,667 registered voters. Voter turnout was 86%.

The final results are as follows:

<u>RACE/CANDIDATES</u>	<u>Total</u> 11/4	<u>Total</u> 11/14	Official Results
President/Vice President			
Baldwin/Castle	3		3
Barr/Root	33		33
McCain/Palin	1592		1592
McKinney/Clemente	9		9
Nader/Gonzalez	33		33
Obama/Biden	2316	3	2319
Blanks	20		20
Write-ins	15		15
Senator in Congress			
John F. Kerry	2320	2	2322
Jeffrey K. Beatty	1472		1472
Robert J. Underwood	130		130
Blanks	98	1	99
Write-ins	1		1
Representative in Congress			
Nicola S. Tsongas	2887	2	2889
Blanks	1095	1	1096
Write-ins	39		39
Councillor			
Marilyn M. Petitto Devaney	2424	2	2426
Blank	1562	1	1563
Write-ins	35		35

Senator in General Court

James B. Eldridge	2098	2	2100
Steven L. Levy	1531		1532
Blanks	375	1	376
Write-ins	17		17

Representative in General Court

Kate Hogan	2220	2	2222
Sonny Parente	1431		1431
David A. Goulding	199		199
Blanks	166	1	167
Write-ins	5		5

Registrar of Probate

Tara E. DeCristofaro	2459	2	2461
Blanks	1545	1	1546
Write-ins	17		17

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would reduce the state personal income tax rate to 2.65% for all categories of taxable income for the tax year beginning on or after January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010.

The personal income tax applies to income received or gain realized by individuals and married couples, by estates of deceased persons, by certain trustees and other fiduciaries, by persons who are partners in and receive income from partnerships, by corporate trusts, and by persons who receive income as shareholders of "S corporations" as defined under federal tax law. The proposed law would not affect the tax due on income or gain realized in a tax year beginning before January 1, 2009.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would reduce the state personal income tax rate to 2.65% for the tax year beginning on January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010.

A NO VOTE would make no change in state income tax laws.

Results Question 1	11/4	11/14	Official Total
Yes	1431		1431
No	2527	2	2529
Blanks	63	1	64

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties, to be enforced by issuing citations, and would exclude information regarding this civil offense from the state's criminal record information system. Offenders age 18 or older would be subject to forfeiture of the marijuana plus a civil penalty of \$100. Offenders under the age of 18 would be subject to the same forfeiture and, if they complete a drug awareness program within one year of the offense, the same \$100 penalty.

Offenders under 18 and their parents or legal guardian would be notified of the offense and the option for the offender to complete a drug awareness program developed by the state Department of Youth Services. Such programs would include ten hours of community service and at least four hours of instruction or group discussion concerning the use and abuse of marijuana and other drugs and emphasizing early detection and prevention of substance abuse.

The penalty for offenders under 18 who fail to complete such a program within one year could be increased to as much as \$1,000, unless the offender showed an inability to pay, an inability to participate in such a program, or the unavailability of such a program. Such an offender's parents could also be held liable for the increased penalty. Failure by an offender under 17 to complete such a program could also be a basis for a delinquency proceeding.

The proposed law would define possession of one ounce or less of marijuana as including possession of one ounce or less of tetrahydrocannabinol ("THC"), or having metabolized products of marijuana or THC in one's body.

Under the proposed law, possessing an ounce or less of marijuana could not be grounds for state or local government entities imposing any other penalty, sanction, or disqualification, such as denying student financial aid, public housing, public financial assistance including unemployment benefits, the right to operate a motor vehicle, or the opportunity to serve as a foster or adoptive parent. The proposed law would allow local ordinances or bylaws that prohibit the public use of marijuana, and would not affect existing laws, practices, or policies concerning operating a motor vehicle or taking other actions while under the influence of marijuana, unlawful possession of prescription forms of marijuana, or selling, manufacturing, or trafficking in marijuana.

The money received from the new civil penalties would go to the city or town where the offense occurred.

A YES VOTE would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties.

A NO VOTE would make no change in state criminal laws concerning possession of marijuana.

Results Question 2	11/4	11/14	Official Total
Yes	2724	2	2726
No	1247		1247
Blank	50	1	51

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would prohibit any dog racing or racing meeting in Massachusetts where any form of betting or wagering on the speed or ability of dogs occurs.

The State Racing Commission would be prohibited from accepting or approving any application or request for racing dates for dog racing.

Any person violating the proposed law could be required to pay a civil penalty of not less than \$20,000 to the Commission. The penalty would be used for the Commission's administrative purposes, subject to appropriation by the state Legislature. All existing parts of the chapter of the state's General Laws concerning dog and horse racing meetings would be interpreted as if they did not refer to dogs.

These changes would take effect January 1, 2010. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would prohibit dog races on which betting or wagering occurs, effective January 1, 2010.

A NO VOTE would make no change in the laws governing dog racing.

Results Question 3	11/4	11/14	Official Total
Yes	2543	2	2545
No	1391		1391
Blank	87	1	88

QUESTION 4. THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to vote in favor of legislation that:

- (1) reduces greenhouse gas emissions in Massachusetts by 80% by 2020; and
- (2) phases out tax incentives for energy-intensive projects, while expanding job creation programs for locally-owned businesses and cooperatives involved in renewable energy, conservation, and sustainable agriculture?

<u>Results Question 4</u>	<u>11/4</u>	<u>11/14</u>	<u>Official Total</u>
Yes	2723	2	2725
No	743		743
Blank	555	1	556

ELECTION WORKERS

Warden

Philip T. Detsch

Deputy Warden

Edward R. Perry, Jr.

Clerk

Judith A. Scraggs

Ballot Box Officers

Ann F. Luxner

Elizabeth A. Lindberg

Checkers & Ballot Counters

Mary E. Algeo

Ann L. Deluty

Janet Derby

Anne C. Draudt

Carol J. Dudley

Lisabeth H. duBois

Pamela G. Gjestebj

Utahna G. Hallet

Betty Holly

Elizabeth D. MacGilvra

Eila J. Makey

Alice L. Mortensen

Diane L. Parker

Betty M. Sauta

Polling Place Greeters & Voter

Assistants

Marjorie A. Alessio

Daniel H. Blanton

Martha E. Bonn

Josephine C. Crowell

Donald G. McPherson

Isabel Prokopovich

Alexandra H. Spear

Linda Telfer

Kathleen A. Willis

A true copy. Attest: Linda E. Hathaway, Town Clerk of Stow